

# Report to Council

1 March 2022

<b>Subject:</b>	Proposed Departure from the Development Plan - Proposed industrial unit (Use Class E(g)(iii) Industrial processes) with ancillary offices and associated parking, Summerton Road, Oldbury
<b>Director:</b>	Tony McGovern - Director of Regeneration & Growth - Neighbourhoods
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## 1 Recommendations

- 1.1 That Council allow an exception to the local development plan in respect of planning application DC/21/66106 - Proposed industrial unit (Use Class E(g)(iii) Industrial processes) with ancillary offices and associated parking, land at Summerton Road, Oldbury.

## 2 Reasons for Recommendations

- 2.1 The proposal is on land allocated for housing within the Site Allocations and Delivery Development Plan Document. It is necessary for the Council to consider whether or not to grant an exception to its policy to allow the application to proceed.



2.2 Although the site is allocated for housing land, it is part of a wider allocation and could not be developed in isolation for residential development, as adjacent to the site are located existing employment uses. For housing to be acceptable on the site, the Council would be looking for a comprehensive development of the wider residential allocation. The proposed development is acceptable in its scale, design and appearance, and would not cause significant harm to the amenity of the occupiers of adjacent properties. Furthermore, there would be no significant impact to the safety and convenience of users of the highway as a result of the proposed development.

### 3 How does this deliver objectives of the Corporate Plan?



A strong and inclusive economy – the proposal would create jobs within the local area.

### 4 Context and Key Issues

- 4.1 At the meeting of Planning Committee held on the 19<sup>th</sup> January 2022 consideration was given to planning application DC/21/66106 for a proposed industrial unit (Use Class E(g)(iii) Industrial processes) with ancillary offices and associated parking.
- 4.2 At the meeting, the Committee approved the planning application with conditions subject to the application being referred to Full Council as a departure from the approved development plan.
- 4.3 The application was publicised by neighbour notification letter, site notice and press notice with one objection being received.
- 4.4 Council will need to approve the application as it is a departure from the Development Plan. The site is currently allocated for housing; therefore it is necessary for the Council to consider whether or not to grant an exception to adopted policy to allow the application to proceed.
- 4.5 The purpose of this report is to discuss the ‘departure’ from the Development Plan only. It is not the role of Council to reconsider the wider planning merits of the application which have already been considered by the Planning Committee.



4.6 The Council’s Highways, Planning Policy, Transportation Planning and Public Health (noise, contaminated land and air quality have all been consulted as well as West Midlands Police and the Canal and River Trust. There were no objections subject to various conditions being imposed.

## 5 Alternative Options

5.1 Refusing the departure is an option, in doing so clear planning justification would have to be provided as any refusal of planning permission could result in an appeal and costs being awarded against the Council.

## 6 Implications

<b>Resources:</b>	The granting of exceptions to the Development Plan would not have any implications for the resources of the Council.
<b>Legal and Governance:</b>	The Planning Committee has delegated powers to determine planning applications within current Council policy. The decision to grant permission for this proposal would be contrary the Development Plan. Consequently, the Committee has referred the application to the Council to consider whether or not an exception to the development plan should be granted.
<b>Risk:</b>	None Relevant.
<b>Equality:</b>	None Relevant.
<b>Health and Wellbeing:</b>	None Relevant.
<b>Social Value</b>	The proposal would create jobs and apprentices during the construction phase.

## 7. Appendices

7.1 None.



## 8. Background Papers

- 8.1 Planning application reference – DC/21/66106 - Proposed industrial unit (Use Class E(g)(iii) Industrial processes) with ancillary offices and associated parking, land at Summerton Road, Oldbury.

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